

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH DIVISION
DRINKING WATER PROGRAM

October 30, 2017

Charles M Norris,
721 W Avenue E
Lancaster, CA 93536

Attention Mr. Norris:

COMPLIANCE ORDER NO: 04_49_17R_029_1900785_02
ARSENIC MCL EXCEEDANCE
HEALTH AND SAFETY CODE SECTION 116555 (a) (1)
MITCHELL'S AVENUE MOBILE HOME PARK, WATER SYSTEM NO. 1900785

Enclosed is a Compliance Order issued to the public water system known as **Mitchell's Avenue Mobile Home Park**.

The System will be billed by the LA County DPH-EH, Los Angeles Local Primacy Agency (hereinafter "LA LPA"), for the time spent on issuing this Compliance Order. California Health and Safety Code (hereinafter "CHSC"), Section 116595, provides that a public water system must reimburse the LA LPA for actual costs incurred by the LA LPA for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a compliance order. At this time, please find the enclosed invoice of \$649.00 for enforcement activities associated with this violation. The enclosed invoice shall be paid by **November 30, 2017**.

Any person who is aggrieved by a compliance order issued by the Los Angeles County Department of Public Health may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the compliance order. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the compliance order. The date of issuance is the date when the Los Angeles County Department of Public Health mails or serves a copy of the compliance order, whichever occurs first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at: http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml.

If you have any questions regarding this matter, please contact the Drinking Water program at 626-430-5420.

Sincerely,



Lusi Mkhitarian, REHS, MPH
Los Angeles County
Department of Public Health
Environmental Health Division

Certified Mail No. 91 7199 9991 7037 9753 6027

Cc: Patty Norris

Jeff O'Keefe, Chief, SWRCB-DDW

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH DIVISION
DRINKING WATER PROGRAM

TO: CHARLES M NORRIS
721 W AVENUE E
LANCASTER, CA 93536

RE: MITCHELL'S AVENUE MOBILE HOME PARK
SYSTEM ID (1900785)
1024 DELAWARE RD
BURBANK, CA 91504-3024

COMPLIANCE ORDER NO: 04_49_17R_029_1900785_02

**FOR VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a)(1)
AND THE PRIMARY DRINKING WATER STANDARD FOR ARSENIC**

DATED: 10/30/2017

The Los Angeles County Department of Public Health Environmental Health Division (hereinafter "EH"), hereby issues this compliance order (hereinafter "Order") [addendum to the Citation dated 04/09/2015] pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to **Mitchell's Avenue Mobile Home Park** water system (hereinafter, "MAMHP") for violation of CHSC section 116555(a)(1) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

APPLICABLE AUTHORITIES

CHSC, Section 116555(a)(1) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- 1) Complies with primary and secondary drinking water standards.

CHSC, Section 116655 provides:

(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- 1) Directing compliance forthwith.
- 2) Directing compliance in accordance with a time schedule set by the department.

- 3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- 1) That the existing plant, works, or system be repaired, altered, or added to.
- 2) That purification or treatment works be installed.
- 3) That the source of the water supply be changed.
- 4) That no additional service connection be made to the system.
- 5) That the water supply, the plant, or the system be monitored.
- 6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

CCR, Title 22, Section 64431 (hereinafter "Section 64431"), states in relevant part:

Public water systems shall comply with the primary Maximum Contaminants Level (hereinafter, "MCL") in table 64431-A as specified in this article.

**Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals**

| <i>Chemical</i> | <i>Maximum Contaminant Level, mg/L</i> |
|-----------------------------------|--|
| Aluminum | 1. |
| Antimony | 0.006 |
| Arsenic | 0.010 |
| Asbestos | 7 MFL* |
| Barium | 1. |
| Beryllium | 0.004 |
| Cadmium | 0.005 |
| Chromium | 0.05 |
| Cyanide | 0.15 |
| Fluoride | 2.0 |
| Hexavalent chromium | 0.010 |
| Mercury | 0.002 |
| Nickel | 0.1 |
| Nitrate (as NO ₃) | 45. |
| Nitrate+Nitrite (sum as nitrogen) | 10. |
| Nitrite (as nitrogen) | 1. |
| Perchlorate | 0.006 |
| Selenium | 0.05 |
| Thallium | 0.002 |

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

CCR Section 64432 (hereinafter "Section 64432"), provides in relevant part:

...

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

- 1) Inform the Department within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or
- 2) Inform the Department within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the Department within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

(h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48 hours of receipt of the result the water supplier shall notify the Department and resample as confirmation. The water supplier shall notify the Department of the result(s) of the confirmation sample(s) within 24 hours of receipt of the confirmation result(s).

- 1) If the average concentration of the original and confirmation sample(s) is less than or equal to ten times the MCL, the water supplier shall monitor quarterly beginning in the quarter following the quarter in which the exceedance occurred.
 - 2) If the average concentration of the original and confirmation sample(s) exceeds ten times the MCL, the water supplier shall, if directed by the Department;
 - a) Immediately discontinue use of the contaminated water source; and
 - b) Not return the source to service without written approval from the Department.
- (i) Compliance with the MCLs shall be determined by a running annual average; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

STATEMENT OF FACTS

MAMHP is a community water system located at 721 West Avenue E, Lancaster, California. MAMHP supplies water for domestic purposes to approximately 24 people through approximately 24 service connections. MAMHP has been operating its water system under the authority of a water supply permit (Permit No. 19007850615) issued on June 18, 2015 by the EH. MAMHP is a community public water system as defined in CHSC, section 116275.

On 04/09/2015, Citation No: CC0000037 was issued to the system. MAMHP complied with directives to collect quarterly samples for arsenic, provide public notification to their consumers, submit proof of each public notification conducted. MAMHP failed to submit a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problem by May 9, 2015. In addition, the funding was approved for MAMHP to install test well and submit the findings for review.

MAMHP utilizes one groundwater Well 01 with a submersible pump, a 5,000-gallon storage tank, and a 1,000-gallon pressure tank. The Title 22, CCR, Division 4, Chapter 15, Article, establishes primary drinking water standards and monitoring and reporting requirements for inorganic constituents. Community and Nontransient-Noncommunity water systems must comply with the maximum contaminant level for arsenic of 0.010 mg/L, as established in Title 22 CCR Section 64431.

Samples collected from MAMHP on January 4, 2008, showed an arsenic concentration of 0.021 mg/L in Well 1. Therefore, in accordance with Section 64431 (g), MAMHP was required to begin quarterly arsenic monitoring, unless it chose to submit an additional sample, which it did not do. Section 64431(i) provides that compliance with the arsenic MCL is based on a "running annual average" (RAA) of the quarterly monitoring samples, computed each quarter. Further, Section 64431(i) states: "if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation."

A summary of MAMHP's arsenic monitoring from 2011 to present is presented in Table 1 below. All results are as reported to EH by the laboratory that performed the analysis.

Table1. Quarterly and Running Annual Average (RAA) Arsenic Concentrations for 2016

| Well 01 Arsenic Concentrations (mg/L) | | |
|--|----------|------------|
| Sample Quarter | | |
| | Q | RAA |
| 1st Q of 2011 | 0.023 | |
| 2 nd Q of 2011 | 0.024 | |
| 3 rd Q of 2011 | NS | |
| 4 th Q of 2011 | 0.018 | 0.022 |
| 1st Q of 2012 | 0.020 | 0.021 |
| 2 nd Q of 2012 | 0.017 | 0.018 |
| 3 rd Q of 2012 | 0.022 | 0.019 |
| 4 th Q of 2012 | 0.022 | 0.020 |
| 1st Q of 2013 | NS | 0.020 |
| 2 nd Q of 2013 | NS | 0.022 |
| 3 rd Q of 2013 | NS | 0.022 |
| 4 th Q of 2013 | 0.022 | 0.022 |
| 1st Q of 2014 | 0.020 | 0.021 |
| 2 nd Q of 2014 | 0.020 | 0.021 |

| | | |
|---------------------------|-------|-------|
| 3 rd Q of 2014 | 0.020 | 0.021 |
| 4 th Q of 2014 | 0.022 | 0.021 |
| 1 st Q of 2015 | 0.019 | 0.020 |
| 2 nd Q of 2015 | 0.021 | 0.021 |
| 3 rd Q of 2015 | 0.023 | 0.021 |
| 4 th Q of 2015 | 0.023 | 0.022 |
| 1 st Q of 2016 | 0.020 | 0.022 |
| 2 nd Q of 2016 | 0.021 | 0.022 |
| 3 rd Q of 2016 | 0.019 | 0.021 |
| 4 th Q of 2016 | 0.023 | 0.021 |
| 1 st Q of 2017 | 0.023 | 0.022 |
| 2 nd Q of 2017 | 0.019 | 0.021 |

Q - Quarterly results

RAA - Running Annual Average

NS -NotSampled

The second quarter 2017 RAA for Well 1 is calculated as 0.021 mg/L, which exceeds the arsenic MCL of 0.010 mg/L. Results of samples taken from water produced from Well 1 since 2011 show the RAA for arsenic in said continues to exceed the arsenic MCL.

DETERMINATIONS

Based on the above Statement of Facts, EH has determined that MAMHP and its owner of record have violated CHSC, Section 116555 and Section 64431 in that the water produced by Well 01, during the 2nd quarter of 2017, exceeding the arsenic MCL as shown in Table 1 above, and further has determined that said violation has continued from January 2008 through to the date of this Order.

DIRECTIVES

MAMHP and its owner of record are hereby directed to take the following actions:

- 1) Comply with the 0.010 mg/L arsenic MCL on or before **December 31, 2020**.
- 2) On or before **December 31, 2017**, submit for Department approval a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problem (violation of the arsenic MCL) and ensure that MAMHP delivers water to consumers that meets primary drinking water standards. The plan shall include the following phases and a time schedule for completion of each of the phases such as design, construction, and startup:
 - a. On or before **December 31, 2017**-Test Well investigation report
 - b. On or before **February 1, 2018**-Point of use pilot study solicitation package

- c. On or before **June 1, 2018**-Point of use pilot study report and documents
 - d. On or before **July 1, 2018**-Final Engineering Report
 - e. On or before **July 1, 2018**-CEQA Documents to be prepared for the State Office of Planning and Research and State Water Resources Control Board
 - f. On or before **September 1, 2018**-Final plans and Specifications with detailed cost breakdown
 - g. On or before **December 31, 2018**-Construction Application
- 3) Timely perform the Department approved Corrective Action Plan and each and every element of said plan according to the time schedule set forth therein.
 - 4) On or before **April 1, 2018** and every three months thereafter, submit a report to the Department in the form as provided in Attachment C, hereto, showing actions taken during the previous calendar three months to comply with the Corrective Action Plan.
 - 5) Not later than ten (10) days following the date of compliance with the arsenic MCL, demonstrate to the Department that the water delivered by MAMHP complies with the arsenic MCL.
 - 6) Continue collecting quarterly samples for arsenic from Well 01 (1900785-001) and ensure that the analytical results are reported to the Department electronically at swslab@ph.lacounty.gov by the analyzing laboratory no later than the 10th day following the month in which the analysis was completed.
 - 7) Continue providing quarterly public notification in accordance with Attachment A, hereto, of MAMHP's failure to meet the arsenic MCL during any calendar quarter that the four-quarter running annual average exceeds the MCL.
 - 8) Commencing on the date of this Citation, submit proof of each public notification conducted in compliance with directive No. 6, herein above, within 10 days following each such notification, using the form provided as Attachment B, hereto.
 - 9) Continue notifying the Department in writing no later than five (5) days prior to the deadline for performance of any directive set forth herein if MAMHP anticipates it will not timely meet such performance deadline.

All submittals required by this Order shall be addressed to:

Lusi Mkhitarian, REHS, MPH
Los Angeles County
Department of Public Health
Environmental Health Division

As used in this Order, the date of issuance shall be the date of this Order; and the date of service shall be the date of service of this Order, personal or by certified mail, on MAMHP or its owner of record.

The Department reserves the right to make modifications to this Order and/or to issue further orders(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves MAMHP or its owner of record of its obligation to meet the requirements of the California Safe Drinking Water Act (hereinafter, "SDWA"), or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND

This order shall apply to and be binding upon MAMHP, its owners, shareholders, officers, directors, agents, employees, contactors, successors, and assignees.

SEVERABILITY

The Directives of this Order are severable, and MAMHP and its owner of record shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Department to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Department to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Department; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Department. The Department does not waive any further enforcement action by issuance of this Order.



Lusi Mkhitarian, REHS, MPH
Los Angeles County
Department of Public Health
Environmental Health Division

10/30/17

Date

Certified Mail No. 91 7199 9991 7037 9753 6027

Cc: Patty Norris
Jeff O'Keefe, Chief, SWRCB-DDW

| | |
|------------------|------------|
| Invoice Number | IN0466563 |
| Invoice Date | 10/30/2017 |
| Account ID | AR0159169 |
| Facility ID | FA0156963 |
| Payment Location | |

Facility Name and Address:

MITCHELL'S AVENUE E MOBILE HOME PARK
 721 W AVENUE E
 LANCASTER, CA 93534-7426

Owner Name and Address:

NORRIS, CHARLES M AND PATRICIA A AND
 NORRIS, LISA M
 1024 DELAWARE RD
 BURBANK, CA 91504-3025

INVOICE

| Date | Program Element | Record ID | Program ID / VIN | Description | Amount |
|----------|-----------------|-----------|------------------|--|-----------|
| 10/30/17 | 4512 | WA0000090 | | SWS - PUBLIC WATER SYSTEM CITATION COMPLIANCE ORDER_ARSENIC MCL | \$ 649.00 |

Total Due: \$649.00

- Electronic Check Processing**

When you provide a check as payment, you authorize the County of Los Angeles to either use information from your check to make a one-time electronic fund transfer from your bank account or to process the payment as a check transaction. If we use the information from your check to make an electronic fund transfer, funds may be withdrawn from your bank account as soon as the same day we receive your payment and you will not receive your check back from your financial institution. Your transaction will appear on your bank statement.

- Returned Check Fees**

There will be a \$33.00 service charge for any check returned by the bank for any reason. Additional penalties may apply and your permit or license may be cancelled.

- Questions?**

If you have any questions or concerns about this receipt, contact:
 Los Angeles County Department of Public Health, Environmental Health Division:
 5050 Commerce Drive
 Baldwin Park, CA 91706
 Phone: (626) 430-5350
 Fax: (626) 337-8631